

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Christopher E. Pearce  
Serial No.: 09/579,399  
Filing Date: May 25, 2000  
Examiner: Kevin C. Harper  
Group Art Unit: 2616  
Confirmation No.: 7429  
Title: System and Method for Routing Calls Using Dialing Partitions

**Mail Stop: Appeal Brief - Patents**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

The following Pre-Appeal Brief Request for Review ("Request") is being filed in accordance with the provisions set forth in the Official Gazette Notice of July 12, 2005 ("OG Notice"). Pursuant to the OG Notice, this Request is being filed concurrently with a Notice of Appeal. The Applicants respectfully request reconsideration of the Application in light of the remarks set forth below.

**REMARKS**

For the reasons discussed below, Applicants contend that the rejection of Claims 1-5, 7-9, 12-13, 17-33, 36-54 and 56-63 contain clear legal and factual deficiencies. Therefore, Applicants request a finding that these rejections are improper and allowance of these claims.

In a Final Office Action dated April 5, 2006, the Examiner rejected Claims 1-5, 7-9, 12-13, 17-22, 24-33, 36-41, 43-49, 51-54, 56-57, and 59-61 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,275,574 issued to Oran ("*Oran*").

*Oran* does not disclose each and every one of the limitations recited in independent Claims 1, 28, 45, and 53. For example, *Oran* it does not disclose, teach, or suggest "accessing a dialing partition table based on a partition search space associated with the first device," as recited in Claim 1 and as similarly (although not identically) recited in Claims 28, 45, and 53. The Examiner states that dialing partitions and partition search spaces are disclosed in *Oran* in Figures 2A and 3 (item 32) and at Column 5, lines 40-50. Applicant respectfully disagrees that these portions of *Oran* (or any other portions of *Oran*) disclose, teach, or suggest a dialing partition table or a partition search space associated with a particular device.

The Examiner appears to be equating the database 32 of *Oran* as providing a disclosure of both the dialing partition table and the partition search space;<sup>1</sup> however, it discloses neither. *Oran* describes the use of database 32 as follows:

Referring to FIGS. 2A or 2B, the dial plan mapper 20 in the gateways 18 or 28 or gatekeeper 26 includes a database 32 storing configuration entries 33 that include regular expression match patterns and associated configuration information. Examples of the regular expression match patterns are shown below in FIG. 8. Examples of the associated configuration information is described in further detail below and shown in FIG. 7.

The dial plan mapper 20 receives an input dial scheme 35 from the session application 34 that includes an input dial string. The regular expression match patterns in database 32 are compared with the input dial string. The match pattern 39 that matches the longest string of digits in the input dial

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<sup>1</sup> The Examiner states in Paragraph 1 of the Office Action (p. 2) that *Oran* discloses both the dialing partition table and the partition search space through its disclosure of a database (32) and cites to the same portion of *Oran* for a teaching of these limitations.

string is identified. The configuration information 41 associated with the longest identified match pattern 39 is used by the dial plan mapper 20 to generate an output dial scheme 37 that is sent back to the session application 34.

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The dial plan mapper queries the configuration database 32 for the longest match 44. The match pattern 44 with the longest match is used as an index to identify associated configuration information 46. The session application 34 uses the returned session protocol, and session target from the configuration information 46 to initiate a session with a destination for the presented dial string 42, such as phone 15 on IP network 22.

(*Oran*, Col. 3, lines 47-64; Col. 4, lines 58-61). Furthermore, the Examiner points to the following passage of *Oran* (in the actual rejection in Paragraph 4 of the Office Action):

Any digit string beginning with a "9" goes to the "best" PBX for reaching that PSTN number. The "best" PBX is determined as the PBX for site A when the area code is 408, and determined as the PBX at site B when the area code is 919. Otherwise, if the calling extension begins with the digit "6" the PBX for site A is used. If the call extension begins with the digit "2" the PBX at site B is used. If the call extension begins with the digit "7", either PBX is used. A bare digit "0" goes to the PBX operator station for the "default" PBX and anything else generates an error.

(*Oran*, Col. 5, lines 41-50). It is clear from these passages that *Oran* does not disclose dialing partition tables or partition search spaces. Instead, *Oran* discloses that for any input dial string, the dial plan mapper accesses a single database (database 32) and attempts to match the input dial string with match patterns in the database to determine how to handle the call (for example, to generate an output dial scheme). For example, as disclosed a Column 5, lines 41-50, a first digit or set of digits in an input dial string may determine the proper PBX to which the call should be directed. There is simply no disclosure of any dialing partition tables or partition search spaces, as evidenced by the fact that a single database 32 is used in an attempt to find the closest matching match pattern for all input dial strings.

To assist the Examiner in understanding the claim terminology, Applicants previously directed the Examiner to pages 61-74 and Figures 14-16 of the Application, which contain a description of particular embodiments of dialing partition tables or partition search spaces. As an illustrative example only, and not by way of limitation, the Application describes dialing partition tables or partition search spaces as follows:

Each device 22, 24 is assigned a partition search space that includes the names of one or more of these dialing partitions. A telephony device 22, 54, 68 having a particular telephone number may be called only if the partition search space of the calling device 22, 24 contains a dialing partition that includes the telephone number. The dialing partition(s) in which the telephone number is included associates a routing target with the telephone number indicating a destination to which the call request should be communicated. When a device 22, 24 communicates a call request to a call manager 26, the digit analysis module 104 of the call manager 26 attempts to determine the routing target associated with the telephone number in the call request by searching in the dialing partitions that are listed in the partition search space of the calling device 22, 24.

(Application, Page 61, line 20 – Page 62, line 3). Applicant respectfully submits that there is no disclosure in *Oran* of the claimed dialing partition tables or partition search spaces. More specifically, there is no disclosure in *Oran* that telephone numbers are included in dialing partition tables (i.e., there is no disclosure of “determining a routing target associated with one or more telephone numbers in a dialing partition table that match the telephone number in the call request”). Furthermore, there is no disclosure in *Oran* that a device (such as the claimed first telephony device) has an associated partition search space and that a dialing partition table is accessed based on the partition search space of the device from which a call request is received.


For at least these reasons, Claims 1, 28, 45, and 53, as well as the claims that depend from these independent claims, are in condition for allowance. Therefore, Applicant respectfully requests allowance of these claims.

**CONCLUSION**

As the rejections of Claims 1-5, 7-9, 12-13, 17-33, 36-54 and 56-63 contain clear deficiencies, Applicants respectfully request a finding of allowance of Claims 1-5, 7-9, 12-13, 17-33, 36-54 and 56-63. If the PTO deems that an interview is appropriate, Applicants would appreciate the opportunity for such an interview. To the extent necessary, the Commissioner is hereby authorized to charge any required fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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Date: July 3, 2006

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